

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA

December 16, 2019
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Shawn Mueske, Kathy Schwantes, Vicki Davis, Fernando Alvarado, Julie Asmus, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were Interim City Administrator Brian Gramentz, Police Chief Jim Felt, Finance Director Steve Okins, Planning and Development Services Director David Ramstad, Public Works Director Sean Christensen, Park and Recreation Director Rob Baumgarn, Fire Chief Frank Hanson, Human Resource Director Samantha Beckman, City Clerk Judy Thompson, and City Attorney Robert Scott.

Additions/changes to agenda were as follows: Interim City Administrator Brian Gramentz asked that agenda Item No. 18 Executive Session, be moved to follow Item No. 20 Announcement of Council Committee Meeting Dates, and; asked that a discussion take place prior to the Executive Session, regarding a mini-retreat being held on Monday, December 30th, the fifth Monday of the month.

Council Member Fagerlie moved to approve the agenda as presented. Council Member Mueske seconded the motion which carried.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of December 2, 2019
- B. Willmar Municipal Utilities Board Minutes of December 9, 2019
- ~~C. Accounts Payable Report for November 27 – December 11, 2019~~
- D. Reappointment as Members of:
 - Police Commission – Mike Kubesh
 - Planning Commission – Jeffery Kimpling and Cletus Frank
 - Rice Hospital Board – Peggy Sietsema, Jon Saunders and Ken Behm
 - Human Rights Commission – Jill Benson, Hamdi Kosar and Ben Larson
 - Municipal Utilities Commission – Bruce DeBlieck, Zack Mahboub and Justin Mattern
 - Pioneerland Library Board – Mary Huesing
 - Economic Development Commission Operations Board – Lester Heitke
 - Charter Commission – Richard Engan and Richard Falk (Chief District Judge appoints)
- E. Building Inspection Report for the Month of November, 2019
- F. Charter Commission Minutes of June 11, 2019
- G. Application for Appointment to Municipal Utilities Commission – Cole Erickson
- H. City Hall Task Force Minutes of August 20, 2019

Council Member Fagerlie offered a motion to approve the Consent Agenda. Council Member Asmus asked that Item C. be removed for discussion. Council Member Nelsen seconded the motion to approve the consent agenda, with the removal of Item C., which carried.

Council Member Asmus inquired about the Hansen Advertising promotional items expenses and what those items were for. Finance Director Steve Okins stated these were for the Main Street Program.

Council Member Asmus then offered a motion to approve Item C. Council Member Fagerlie seconded the motion which carried.

Heidi Ahmann, Willmar, addressed the Mayor and Council during the Open Forum. Ms. Ahmann stated her desire to have her application considered for the Human Rights Commission, and informed the Mayor and Council of her qualifications.

Ben Larson, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Larson spoke in support of approving the resolution consenting to continued initial resettlement of refugees that is on the agenda this evening.

Anita Flowe, Willmar, addressed the Mayor and Council during the Open Forum. Ms. Flowe also spoke in support of approving the resolution consenting to continued initial resettlement of refugees that is on the agenda this evening.

Ron Christianson, Willmar, addressed the Mayor and Council during the Open Forum. Mr. Christianson stated there was a hockey tournament this past weekend which drew a large crowd to Willmar, "Hats Off"; gave a "Hats Off" to Willmar Fests for the light display at Robbins Island; he feels the City has become quite divided and suggested the Council table the resolution consenting to continued initial resettlement of refugees that is on the agenda this evening as the City is not required to pass a resolution - this was already done by the County Commissioners, and; stated he was a past member of the Human Rights Commission and their purpose is to be non-political and he feels it has become political.

Human Rights Commission Chair Shelly Huseby stated on November 19, 2019, the City of Willmar Human Rights Commission met and discussed their support for refugees and encouraged continued resettlement in Willmar.

Following discussion, Council Member Davis offered a motion to introduce **Resolution No. 19-187 Consenting to Continued Initial Resettlement of Refugees in Willmar, Minnesota**. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 6, Noes 1. Council Member Plowman voted "no". Council Member Fagerlie abstained from voting.

Kandiyohi County and City of Willmar Economic Development Executive Director Aaron Backman briefed the Council on the process that was involved in applying for and receiving the grant award of \$1.3 million from Minnesota's Department of Employment and Economic Development (DEED) for Innovative Business Development Public Infrastructure to extend sanitary sewer service to the Epitopix production facility.

Following discussion, Council Member Mueske offered a motion to introduce **Resolution No. 19-188 Approving Innovative Business Development Infrastructure Grant**. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At this time, Mayor Calvin asked for Council's permission to address agenda Item No. 14 Resolution to Execute License Agreement for use of Robbins Island for Holiday Light Display as there are members of the public present for this item.

Park and Recreation Director Rob Baumgarn presented a request to enter into an agreement with Willmar Fests for the "Celebrate the Lights" display located at Robbins Island Regional Park. Mr. Baumgarn briefed the Council on the history of the light display and stated the prior lease agreement for the term of one year and has expired. This agreement would renew on an annual basis and grant a nonexclusive license to access and enter onto the area to install, maintain or operate the display or manage public access to view the display free of charge.

Willmar Fests Chairman James Miller thanked the Council for their support and opportunity to be at Robbins Island, and mentioned this years' donations will help four area non-profit organizations - Salvation Army, Kandiyohi County Food Shelf, The Link in New London, and Habitat for Humanity of West Central Minnesota. Mr. Miller stated that due to construction at Robbins Island, a few items were removed this year and hope to have available again next year. He also mentioned they are still in need of volunteers and anyone interested should sign up on the website or Facebook page.

Council Member Alvarado thanked Scott Kubesh for the work he has done in programming the lights and the amazing display. Council Member Asmus gave a “Shout Out” to Chad Koosman for his vision, generosity and work he has done year after year and his donation of the lights and display to Willmar Fests. She also thanked Willmar Fests for taking over this fabulous display.

Resolution No. 19-189 Authorization to Execute License Agreement with Willmar Fests for Use of Robbins Island for Holiday Light Display was introduced by Council Member Mueske. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Public Works/Safety Committee Report for December 4, 2019 was presented to the Mayor and Council by Council Member Plowman. There were seven items for consideration.

Item No. 1 Staff brought forth, for information, the Police and Fire Department statistics for the month of November. This item was for information only.

Item No. 2 Staff brought forth, for information, the towing bid award for the 2020-2021 contract. This item was for information only.

Council Member Plowman offered a motion to award the bid for 2020-2021 to Ed’s Towing. Council Member Nelsen seconded the motion.

Following discussion, it was noted this item was for information only and did not need a motion by Council.

Council Member Plowman then rescinded his motion. Council Member Nelsen rescinded her second.

Item No. 3 It was the recommendation of the Committee to authorize the Willmar Police Department to enter into a Joint Powers Agreement with the MN BCA Human Trafficking Investigators Task Force contingent the agreement is acceptable to staff and legal counsel.

Resolution No. 19-190 Approving State of Minnesota Joint Powers Agreements with the City of Willmar on Behalf of Its Police Department was introduced by Council Member Plowman. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 4 It was the recommendation of the Committee to direct the City Attorney to research and draft a massage parlor ordinance for consideration.

Following discussion, Council Member Plowman offered a motion to approve the Committee’s recommendation. Council Member Nelsen seconded the motion which carried.

Item No. 5 It was the recommendation of the Committee to approve Change Order No. 1 for the Robbins Island Four Season Shelter project in the amount of \$23,055.99.

Following discussion, Council Member Plowman introduced **Resolution No. 19-191 Accepting Change Order No. 1 for the Robbins Island Four Season Shelter Project**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 1. Council Member Schwantes voted “no”.

Item No. 6 It was the recommendation of the Committee to adopt a resolution ordering the Improvement Report for the 2020 Street Improvements.

Resolution No. 19-192 Ordering Preparation of Report on Improvements was introduced by Council Member Plowman. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 7 Staff brought forth, for information, the City's ordinance for snow emergencies and discussion of practice to follow when issuing a City-wide snow emergency. This item was for information only.

Following discussion, Council Member Plowman offered a motion to direct staff to finalize drafting a policy for issuing a City-wide snow emergency beginning in 2020. Council Member Nelsen seconded the motion which carried.

The Public Works/Safety Committee Report of December 4, 2019, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Plowman. Council Member Asmus seconded the motion which carried.

At 8:57 p.m. Mayor Calvin recessed the meeting.

At 9:06 p.m. Mayor Calvin reconvened the meeting.

The Finance Committee Report for December 5, 2019 was presented to the Mayor and Council by Council Member Nelsen. There were nine items for consideration.

Item No. 1 Agriculture land leases at the old airport site were executed for 2019-2022 in the Fall of 2018. Shortly thereafter, the Willmar WYE Project began moving forward and many of the tracts that had been leased out were adversely affected. These leases are held by Justin Boike who has been reimbursed for lost productive land. However, staff feels that the tracts have been significantly affected and now should have a revised value per acre. This item had been tabled at the last Finance Committee Meeting for further review. It is now being proposed by management that the bids for each of these leases be reduced by \$20 per acre. This would lower the amount anticipated to be received over the four-year term by approximately \$20,527.20. Staff explained that this rent adjustment would be retroactive to the beginning of 2019 and noted that the City is within its legal rights to change the price per acre for the leases in question due to the required changes to the parcels. Further, if no agreement can be reached, Mr. Boike would be eligible to opt out of the lease(s) beginning in 2020.

Mr. Boike would like to see more of a reduction in rent because the lost acreage will affect the way he farms these parcels, including issues he will have with access points. It was also noted that several issues remain regarding what portion of these parcels will actually be available for agricultural production due to the ongoing construction of the WYE Project. It was the consensus of the Committee to table this item again until firm information can be obtained from MnDOT and BNSF regarding the land needed for the WYE construction. Staff asked for direction regarding the date for rent to be paid for the parcels in question because the leases reflect a due date of February 1st.

It was the recommendation of the Committee to defer issuing invoices to Mr. Boike for the annual rent for the applicable parcels until an amendment could be agreed upon for Parcels No. 1, 2, 4, and 6.

Following discussion, Council Member Nelsen offered a motion to approve the recommendation of the Committee. Council Member Fagerlie seconded the motion which carried.

Item No. 2 In late October, the EDC received word from the Minnesota Department of Employment & Economic Development (DEED) that DEED Commissioner Steve Grove had approved a \$1.3 million IBDPI Grant with the City of Willmar for the Epitopix Sewer Line Project. The EDC had prepared and submitted the grant application on behalf of the City. The line runs from the main north-south interceptor near the Willmar Industrial Park, west along the north side of the new Highway 12, then north on 45th Street to the Epitopix production facility. Epitopix needs the sewer service to accommodate a major expansion of its production capacity in Willmar. IBDPI is an Innovative Business Development Public Infrastructure Grant that does not require a match from the City. However, the City will need to expend funds for the public infrastructure and then be reimbursed by the State of Minnesota. Subsequently, the City needs to add the planned infrastructure to its 2020 budget.

It was the recommendation of the Committee to introduce a resolution to increase the 2020 budget by \$1.3 million in both revenues and expenditures as presented.

It was noted part of this item was approved earlier this evening.

Resolution No. 19-193 Epitopix Sewer Line Source and Use of Funds Budget was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 3 Pursuant to the Affiliation Agreement and related Operating Lease Agreement between the City of Willmar, CentraCare Health System, and Carris Health, the real property upon which Rice Hospital's facilities and the Care Center's facilities are located, is exempt from paying real estate taxes. Previously Rice Hospital and the City have entered into agreements whereby the hospital would remit to the City annual negotiated intergovernmental transfer payments in consideration for the municipal services provided to Rice Hospital by the City. Both parties desire to continue this annual intergovernmental transfer. To-date the total annual transfer amount has been \$300,000 and it is being proposed that this continues through 2020. Further, the ECPN payments in 2019 have been \$9,400 per month and it is being proposed that this amount is changed to \$5,900 per month in 2020.

It was the recommendation of the Committee to introduce a resolution to authorize the Mayor and City Administrator to execute the Agreement for Intergovernmental Transfer and ECPN Payments by and between Carris Health Rice Memorial Hospital, Rice Care Center, and the City of Willmar effective January 1, 2020.

Council Member Nelsen stated there should be a correction to the minutes. They should read – At the start of the Agreement, the total annual transfer amount was \$300,000, there have since been two increases and the correct amount for 2020 is estimated at \$318,270.

Resolution No. 19-194 Carris Health Intergovernmental Transfer Agreement was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 4 On November 1, 2017, invoices were issued for the second half payment of 2017 crop land leases. On December 6, 2017, invoices were issued for late fees on the unpaid invoices. The total outstanding was \$29,636.89 for Tracts I and VI and ROW IV. These amounts were forwarded to the City Attorney to assist in pursuing collection who then issued a notification to the party involved on April 5, 2018. Since these invoices remained unpaid, a second notification was issued by the attorney on June 28, 2018, pursuing collection. On July 30, 2018, a bankruptcy notice was received and forwarded on to the City Attorney. On November 27, 2018, a second bankruptcy notice was received detailing the discharge of debts. On May 23, 2019, another notice to file claims was received which was forwarded on to the City Attorney. \$576.51 was received as a final settlement. Subsequently, the remaining balance of \$29,060.38 needs to be written off as uncollectible. It was the recommendation of the Committee to write off the uncollectible accounts receivable balance of \$29,060.38 as presented.

Resolution No. 19-195 Write Off Uncollectible Past Due Accounts Receivable was introduced by Council Member Nelsen. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Fagerlie wanted to inform the public that the policy has been changed for land rental payments, which will now be due January 1 of each year in an attempt to avoid any future uncollectible funds for land rental.

Item No. 5 After Council approval of the 2020 Budget, there is a remaining amount of \$485,000 in Undesignated Funds. Councilmember Nelsen is recommending that this amount be appropriated to Unfunded Auditorium Improvements including tuck pointing for \$400,000, ADA requirements for the elevator

and bathroom for \$600,000, and roof/gutter replacement for \$350,000. It is understood that the \$485,000 will not be able to fully fund these expenditures but will be earmarked toward that end. It was the recommendation of the Committee to introduce a resolution to appropriate the remaining Undesignated Funds of \$485,000 in the 2020 Budget for a portion of the unfunded Auditorium Capital Improvements of tuck pointing, ADA Requirements for Elevator and Bathroom, and Roof/Gutter Replacement.

Resolution No. 196 Designate \$485,000 in 2020 Budget for Auditorium Improvements was introduced by Council Member Nelsen. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Item No. 6 WMU Finance Director Denise Runge presented an overview of the Willmar Municipal Utilities financial status compared to a year ago. Revenues and expenditures are pretty much right on budget to date. Compared to last year, revenue to-date is down slightly and operating expenditures to-date are also down slightly. Retained earnings to-date are \$6,440,891 which is up from last year's retained earnings of \$5,893,261. The status of district heat was briefly reviewed noting that June 30, 2020, will be the last day for that system. At this point, future use of the district heating building is undecided. This item was for information only.

Item No. 7 The current Fund Balance Policy was provided to the Committee for their annual review. This policy will be discussed at the next Finance Committee meeting. This item was for information only.

Item No. 8 The current Investment Policy was provided to the Committee for their annual review. This policy will be discussed at the next Finance Committee meeting. This item was for information only.

Item No. 9 Chair Nelsen thanked the Finance Committee and the Council for their efforts in reviewing and adopting the 2020 Budget. For next year's budget process, timing of delivering the initial proposed budget to the Council will be reviewed to be sure to adhere to the City Charter requirements. Further, the CIP priorities will be closely reviewed, including street funding, the \$4 utility improvement fee, the franchise fee, the debt service for City Hall, technology enhancement, increased community engagement in the budget process, and to make sure that "one-time money" is used for "one-time projects". This item was for information only.

The Finance Committee Report of December 5, 2019, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Nelsen. Council Member Asmus seconded the motion which carried.

The Labor Relations Committee Report for December 9, 2019 was presented to the Mayor and Council by Council Member Mueske. There were seven items for consideration.

Item No. 1 Staff requested permission to begin advertising for the Deputy Fire Chief position now that the job description and 2020 budget have been approved. It was the recommendation of the Committee to begin the hiring process for the Deputy Fire Chief position.

Following discussion, Council Member Mueske offered a motion to approve the recommendation of the Committee. Council Member Schwantes seconded the motion which carried. Council Member Fagerlie voted "no".

Item No. 2 Staff presented a cost analysis report prepared by PERA demonstrating different benefit level amounts we could offer in retirement benefits to our firefighters. After discussion, the Committee offered a motion to increase the funding level to \$4,800 per year of good service at 110% funded. That motion failed. After further discussion, it was the recommendation of the Committee to increase the funding level to \$5,000 per year of good service at 106% funded.

Following discussion, Council Member Mueske offered a motion to increase the funding level to \$5,000 per year of good service at 106% funded. Council Member Alvarado seconded the motion which carried.

Item No. 3 Staff presented the remaining policies from the original employee personnel policy that the League did not have a reference to in their sample handbook. Language related to what gifts may be accepted by employees was added. It was the recommendation of the Committee to adopt the updated miscellaneous policies and to discontinue sections 2.15; 3.5.5; 3.8; 5.4.2; 5.5.2; and 6.2 from the existing personnel policy.

Council Member Mueske offered a motion to approve the recommendation of the Committee. Council Member Schwantes seconded the motion which carried.

Item No. 4 Staff presented an updated 2020 part-time employee pay scale that accounts for the Minnesota minimum wage increase to \$10.00 per hour beginning January 1st, 2020. Two scales were added (one for Intern/Laserfiche Assistant and one for Coaches) and the arena staff title was included in the Parks & Recreation staff scale. It was the recommendation of the Committee to adopt the updated 2020 Part-time Employee Pay Schedule pending a reasonable rationale for the change to the official's pay scale.

Council Member Mueske offered a motion to approve the recommendation of the Committee. Council Member Schwantes seconded the motion which carried.

Item No. 5 Staff presented an updated 2020 City Pay Schedule that was developed by Springsted, our Labor Attorney, and Human Resources for the City to consider adopting. Best practice is to adopt an updated version annually and the City hasn't adopted one since 2010. In 2016 a partial pay scale was adopted to include the non-union and Supervisory employees, however it did not implement the open/unused pay scales, contained skewed point ranges, and used inconsistent grading numbers. By implementing this new pay schedule we will have a cohesive, City-wide pay schedule that can apply to all employees and has consistent ranges and increases between grades. There is no change in current employee's pay as a result of adopting this pay schedule as union employees will continue to be paid according to their contracts, and non-union employees' pay falls within the proposed ranges. The long-term goal is to bring all union contracts into alignment with our adopted pay scale through negotiations but has no effect on existing contracts. It was the recommendation of the Committee to adopt the updated 2020 Base Pay Schedule.

Council Member Mueske offered a motion to approve the recommendation of the Committee. Council Member Schwantes seconded the motion which carried.

There was also discussion regarding how the 10% increase due to health insurance changes for the non-union and Supervisors will be paid for those employees at or near their pay scale maximum. Allowing employees to exceed the newly adopted pay ranges will make sure employees can receive the full 10% increase now but then their wages will be frozen until the scale catches up to their wage. It was the recommendation of the Committee to allow those employees to exceed their pay scale maximums in order to receive the full 10% increase.

Council Member Mueske offered a motion to approve the recommendation of the Committee. Council Member Schwantes seconded the motion which carried.

Item No. 6 At this time, the Committee went into closed session pursuant to Minn. Stat. 13.D.03 subdivision 1(b) to discuss Labor Negotiations Strategy. The meeting was closed at 8:13 p.m. The meeting was reopened at 8:27 p.m. by Council Member Mueske. The committee stated they were supportive of the proposal but they want the full Council to discuss and review on December 16th. This item was for information only.

Item No. 7 There will be no Labor Committee Meeting on December 23rd unless a time sensitive issue arises. This item was for information only.

The Labor Relations Committee Report of December 9, 2019, was approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Mueske. Council Member Schwantes seconded the motion which carried.

Park and Recreation Director Rob Baumgarn presented a request to enter into a purchase agreement with Musco Sports Lighting for the Swansson Field light project. The lighting system at Swansson Complex is outdated and needs to be upgraded. The new lighting system for either the Orange/Blue field will improve the safety and the quality of play. With Council approval of the agreement, the City would be able to lock in the 2019 price. It has been determined there will be a three to four percent (3% - 4%) increase for the materials in 2020. He noted the City will not pay anything until 30 days after delivery of the lighting system in 2020. The City has used Musco Sports Lighting for Baker Field and Miller Park tennis courts.

Following discussion, **Resolution No. 19-197 A Resolution to Resolve the Purchase Agreement Awarding Musco Lighting the Swansson Field Light Project** was introduced by Council Member Fagerlie. Council Member Plowman seconded the motion, which carried on a roll call vote of Ayes 6, Noes 2. Council Members Alvarado and Nelsen voted "no".

City Clerk Judy Thompson presented a request to approve the On-Sale and Club On-Sale 2020 Sunday liquor license renewals pending police department approval. Ms. Thompson noted there were seven On-Sale renewals and two Club On-Sale renewals.

Council Member Mueske offered a motion to approve staff's recommendation. Council Member Alvarado seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Clerk Judy Thompson presented a request to approve the Willmar Community Golf Club, Inc. On-Sale intoxicating liquor license through the fiscal year ending April 25, 2020, and the Sunday liquor license ending December 31, 2020. Ms. Thompson noted the restaurant located at 1000 26th Avenue NE currently holds these licenses under Bakers Eagle Creek Eatery LLC dba The Oaks at Eagle Creek and will be under new ownership in January 2020.

Council Member Fagerlie offered a motion to approve staff's recommendation. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Council Member Alvarado offered the following comments: urged everyone to view the lights at Robbins Island; attend the basketball tournaments being held during the holidays; watch out for kids on break during the next two weeks, and; enjoy the holidays.

Council Member Asmus offered the following comments: she met with MPR radio this morning and gave an interview regarding the Glacial Ridge Curling Club, along with Kevin Madsen and Tom Amberg to give the public an update on their proposed project, and; wished everyone Happy Holidays.

Council Member Plowman offered the following comments: challenged everyone to reflect on where we were one year ago and where we are today – he believes we have made great progress on many items, and; encouraged everyone to set their sights high for the new year.

Council Member Fagerlie offered the following comments: hopefully everyone can get out to Robbins Island for the lights, and also throughout the City there are many good displays; Merry Christmas and Happy New Year to everyone, and; looking forward to next year.

Council Member Mueske offered the following comments: echoed Council Member Fagerlie's comments.

Council Member Schwantes offered the following comments: Happy Holidays to everyone.

Council Member Davis offered the following comments: Merry Christmas and Happy New Year.

The upcoming Committee meetings will be as follows: Public Works/Safety Committee – Wednesday, December 18 at 12:00 noon; Finance Committee – no meeting scheduled.; Labor Relations Committee – brief meeting on Monday, December 23 at 5:15 p.m.; and Community Development Committee – no meeting scheduled.

City Administrator Brian Gramentz asked if the Council was desiring to have a mini-retreat on December 30th as this is the fifth Monday of the month. Council Member Nelsen requested to have the mini-retreat on the 30th to receive updates on the local option sales tax projects and the city hall. Council Member Plowman stated he would not be in attendance. Following discussion, Council Member Nelsen offered a motion to have a mini-retreat on December 30th. Council Member Mueske seconded the motion which carried.

Mayor Calvin stated the next agenda item is to discuss labor negotiations strategy. This portion of the meeting will be closed for labor negotiations strategy pursuant to Minnesota Statutes, Section 13D.03, subdivision 1(b).

At 10:10 p.m. Council Member Fagerlie offered a motion to go into closed session. Council Member Mueske seconded the motion which carried.

The meeting was reopened at 10:55 p.m. by Mayor Calvin.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Mueske seconding the motion which carried. The meeting adjourned at 10:56 p.m.

s/s Marv Calvin

MAYOR

Attest:

s/s Judy Thompson

SECRETARY TO THE COUNCIL

RESOLUTION NO. 19-187

A RESOLUTION CONSENTING TO CONTINUED INITIAL RESETTLEMENT OF REFUGEES IN WILLMAR, MINNESOTA

Motion By: Davis

Second By: Asmus

WHEREAS, Willmar has welcomed refugees facing religious, ethnic and political persecution for many years; and

WHEREAS, Willmar recognizes that having families reunited builds a stronger community; and

WHEREAS, by definition, refugees are individuals who have been forced to flee their home country due to persecution based on their race, religion, nationality, political opinion, or social group; and

WHEREAS, resettlement is the last resort for refugees who cannot return to their home country and cannot rebuild their lives where they first fled; and

WHEREAS, Willmar is currently the home of resettled refugees who may be joined by family members from which they have been separated; and

WHEREAS, community members, families, local organizations and faith-based institutions have supported the arrival and integration of refugee families for several years; and

WHEREAS, Willmar supports healthy families which supports and embraces a healthy community; and

WHEREAS, refugees have a significant net positive effect on the local economy.

BE IT RESOLVED by the City Council of the City of Willmar, that with regards to federal Executive Order 13888 "On Enhancing State and Local Involvement in Resettlement," the Council of the City of Willmar consents to the initial resettlement of refugees and a copy of this resolution will be transmitted to the US Department of State, Bureau of Population, Refugees, and Migration.

Dated this 16th day of December, 2019.

s/s Marv Calvin

Mayor

Attest:

s/s Judy Thompson

City Clerk

RESOLUTION NO. 19-188

RESOLUTION APPROVING INNOVATIVE BUSINESS DEVELOPMENT INFRASTRUCTURE GRANT

Motion By: Mueske

Second By: Plowman

WHEREAS, by adopting Resolution No. 19-128, dated August 19, 2019, which resolution is incorporated herein by reference, the Willmar City Council approved the City of Willmar's ("City") application for and acceptance of an Innovative Business Development Infrastructure Grant to fund the City's extension of municipal utilities to serve real property owned by Epitepix, LLC ("Epitepix") currently located in Willmar Township, identified as Kandiyohi County Parcel No. 33-007-0105 (the "Epitepix property") to facilitate a significant expansion of Epitepix's veterinary vaccine production facility; and

WHEREAS, by letter dated October 16, 2019, the State of Minnesota, through its Commissioner of Employment and Economic Development, notified the City that it had approved the City's grant application in the amount of \$1,300,000 for the purpose of extending sanitary sewer service to the Epitepix property (the "grant"); and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar that, pursuant to Resolution 19-128, it:

1. Accepts the IBDPI grant in the amount of \$1,300,000;
2. Approves the grant agreement with the State of Minnesota in a form substantially as appended to this Resolution; and
3. Authorizes Mayor Marvin Calvin and City Administrator Brian Gramentz, or their successors in office, to execute a final version of the grant agreement that is in substantial conformity with the version appended hereto and such other agreements, and amendments thereto, as are necessary to implement the project(s) on behalf of the City, at such times as requested by the State of Minnesota, through its Department of Employment and Economic Development.

Dated this 16th day of December, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-189

AUTHORIZATION TO EXECUTE LICENSE AGREEMENT WITH WILLMAR FESTS FOR USE OF ROBBINS ISLAND FOR HOLIDAY LIGHT DISPLAY

Motion By: Mueske Second By: Schwantes

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a license agreement between the City of Willmar and Willmar Fests to use Robbins Island for a Celebrate the Light of the World Holiday light display.

Dated this 16th day of December, 2019

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 19-190

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF WILLMAR ON BEHALF OF ITS POLICE DEPARTMENT.

Motion By: Plowman Second By: Asmus

WHEREAS, the City of Willmar and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to participate in the Minnesota Human Trafficking Investigators Task Force (MHTTF) as an affiliate member.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Willmar on behalf of its Police Department, are hereby approved pending a final review by the Chief of Police for 2020 - 2021.

2. That the Chief of Police, Jim Felt, or his successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Michael Anderson, Police Captain, is appointed as the Authorized Representative's designee.

Dated this 16th day of December, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-191

**A RESOLUTION ACCEPTING CHANGE ORDER NO. 1 FOR THE
ROBBINS ISLAND FOUR SEASON SHELTER PROJECT.**

Motion By: Plowman Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for the Robbins Island Four Season Shelter project between the City of Willmar and RAM General Contracting of Winsted, Minnesota by Change Order No. 1 in the increased amount of \$23,083.27.

Dated this 16th day of December, 2019

s/s Marv Calvin
Mayor

Attest:

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-192

**RESOLUTION ORDERING PREPARATION OF
REPORT ON IMPROVEMENTS**

Motion By: Plowman Second By: Alvarado

WHEREAS, it is proposed to construct the following improvements under the 2020 Improvement Projects: Grading, aggregate base, curb and gutter, edge drain, sump pump connections, milling, bituminous pavement, sidewalk, service lines, sanitary sewer, paths, and watermain

And to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Section 429.011 to 429.111 (Laws 1953, Chapter 398, as amended).

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WILLMAR, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study, and that he is instructed to report to the Council advising the Council in a preliminary way as to whether the proposed improvement is feasible, and as to whether it should be best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Dated this 16th day of December, 2019

s/s Marv Calvin
Mayor

s/s Judy Thompson
City Clerk

RESOLUTION NO. 19-193

EPITOPIX SEWER LINE SOURCE AND USE OF FUNDS BUDGET

Motion By: Nelsen

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the Finance Director is authorized to enter the following changes on the 2020 Budget:

Increase Revenues: State GO Funds – BDPI Program Grant	\$1,300,000
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Increase Expenditures: Capital Improvement – Sanitary Sewer Lines	\$1,300,000
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Dated this 16th day of December, 2019.

s/s Marv Calvin
MAYOR

ATTEST:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 19-194

CARRIS HEALTH INTERGOVERNMENTAL TRANSFER AGREEMENT

Motion By: Nelsen

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the Mayor and City Administrator are authorized to execute the "Agreement for Intergovernmental Transfer and ECPN Payments by and between Carris Health Rice Memorial Hospital, Rice Care Center and the City of Willmar" effective January 1, 2020.

Dated this 16th day of December, 2019.

s/s Marv Calvin

MAYOR

ATTEST:

s/s Judy Thompson

CITY CLERK

RESOLUTION NO. 19-195

WRITE OFF UNCOLLECTIBLE PAST DUE ACCOUNTS RECEIVABLE

Motion By: Nelsen

Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the Finance Director is authorized to write off a total of \$29,060.38 in uncollectible outstanding accounts receivable which includes \$13,676.91 in the Airport Fund and \$15,383.47 in the Industrial Development Fund.

Dated this 16th day of December, 2019.

s/s Marv Calvin

MAYOR

ATTEST:

s/s Judy Thompson

CITY CLERK

RESOLUTION NO. 19-196

DESIGNATE \$485,000 IN 2020 BUDGET FOR AUDITORIUM IMPROVEMENTS

Motion By: Nelsen

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the remaining Undesignated Funds of \$485,000 in the 2020 Budget be designated for a portion of the unfunded Auditorium Capital Improvements of Tuck Pointing, ADA Requirements for Elevator and Bathroom, and Roof/Gutter Replacement.

Dated this 16th day of December, 2019.

s/s Marv Calvin
MAYOR

ATTEST:

s/s Judy Thompson
CITY CLERK

RESOLUTION NO. 19-197

**A RESOLUTION TO RESOLVE THE PURCHASE AGREEMENT AWARDING MUSCO LIGHTING
THE SWANSSON FIELD LIGHT PROJECT**

Motion By: Fagerlie

Second By: Plowman

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, the bid of Musco Lighting for the Swansson Field Lighting project is accepted and the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$313,315.

Dated this 16th day of December, 2019

s/s Marv Calvin
MAYOR

Attest:

s/s Judy Thompson
CITY CLERK